## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT GREENEVILLE

SARA STALEY, as wife, next kin, and	)
personal representative of the Estate of	) Case No. 2:20-cv-170
Kenneth Staley,	)
	) Judge Travis R. McDonough
Plaintiff,	)
	) Magistrate Judge Cynthia R. Wyrick
V.	)
	)
GRAINGER COUNTY SHERIFF,	)
	)
Defendant.	)

## **ORDER**

Plaintiff Sara Staley filed her complaint in this case on August 4, 2020, against the Grainger County Sheriff, Grainger County, Kenneth Matthews, Southern Health Partners, unknown jail nursing staff, and unknown jail officers. (Doc. 1.) Federal Rule of Civil Procedure 4(m) provides, in pertinent part:

If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

More than 90 days have now passed since the complaint was filed, and there is no evidence in the record to suggest that Plaintiff has timely served the Kenneth Matthews, Southern Health Partners, or the unknown jail and nursing staff. Accordingly, Plaintiff is hereby **ORDERED** to file a response showing good cause as to why this action should not be dismissed without prejudice as to Kenneth Matthews, Southern Health Partners, and the unknown jail and nursing staff pursuant to Rule 4(m). Plaintiff's response is due on or before January 22, 2021.

Plaintiff is hereby ON NOTICE that failure to show cause by the date specified in this Order will result in Kenneth Matthews, Southern Health Partners, and the unknown jail and nursing staff being dismissed from this action without prejudice for failure to prosecute.

SO ORDERED.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH UNITED STATES DISTRICT JUDGE